

LAW OFFICES
KEKER & VAN NEST
LLP

710 SANSOME STREET
SAN FRANCISCO, CA 94111-1704
TELEPHONE (415) 391-5400
FAX (415) 397-7188
WWW.KVN.COM

DAN JACKSON
DJACKSON@KVN.COM

July 31, 2007

VIA EMAIL

Robert P. Haney
Covington & Burling, LLP
620 Eighth Avenue
New York, NY 10018
Email: rhaney@cov.com

Re: *Roots Ready Made Garments Co. W.L.L. v. The Gap, Inc. et al.*
No. C-07-3363 (N.D. Cal.)

Dear Mr. Haney:

I write to meet and confer about the briefing schedule for Roots' motion to consolidate as well as Roots' plan for completing discovery in time to participate in the trial commencing on December 3, 2007. On the first point, given the August 24, 2007 hearing date, I propose that Gap file its opposition on August 10 and Roots file its reply on August 17. Please let me know if that schedule meets with your approval.

As for the schedule generally, we need to know as soon as possible how you propose to get everything done that must be done in time for a December 3 trial (assuming any of your claims survive motions to dismiss), including but by no means limited to:

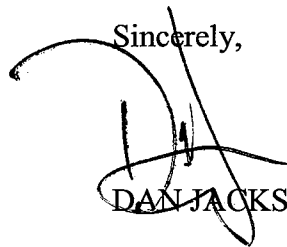
- Briefing and hearing on Gap's motion to dismiss;
- Initial disclosures;
- Written discovery;
- Depositions including, without limitation: Sheikh Faisal Al Thani, Ashraf Abu Issa, Naser Beheiry, Maroun Namroud, Alain Moreaux, Kifah Balawi, Ziad Al Turki, Ehab Al Sharif, David Reilly, Francois Larsen, and any other witnesses Roots intends to list on its initial disclosures, depose, and/or call as a witness at trial;

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- Expert discovery;
- Any motions to compel; and
- Summary judgment briefing and hearing.

Also, please advise whether Roots will be willing to join the stipulation regarding depositions and trial testimony into which Gap and Gabana have entered, which is attached. I look forward to your reply.

Sincerely,



DAN JACKSON

DEJ/msc

cc: Richard A. Jones
Marty Glick

1 KEKER & VAN NEST, LLP
DARALYN J. DURIE - #169825
2 CHRISTA M. ANDERSON - #184325
DAN JACKSON - #216091
3 ROSE DARLING - #243893
710 Sansome Street
4 San Francisco, CA 94111-1704
Telephone: (415) 391-5400
5 Facsimile: (415) 397-7188

6 Attorneys for Defendants
GAP INTERNATIONAL SALES, INC., a Delaware corporation,
7 THE GAP, INC., a Delaware corporation, BANANA REPUBLIC,
LLC, a Delaware limited liability company, and OLD NAVY,
8 LLC, a Delaware limited liability company

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 GABANA GULF DISTRIBUTION, LTD., a
14 company organized under the laws of the
United Kingdom, and GABANA
15 DISTRIBUTION, LTD., a company organized
under the laws of the United Kingdom,

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17 Plaintiffs,

18 v.

19 GAP INTERNATIONAL SALES, INC., a
Delaware corporation, THE GAP, INC., a
20 Delaware corporation, BANANA REPUBLIC,
LLC, a Delaware limited liability company,
21 and OLD NAVY, LLC, a Delaware limited
liability company,

22 Defendants.
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Case No. C 06-2584 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER RE DEPOSITIONS**

STIPULATION

WHEREAS, many of the witnesses that the parties have identified as potentially having relevant knowledge in this case reside in countries where it is time consuming, expensive, or even impossible to secure a deposition, and the parties wish to avoid unnecessary expense and effort in deposing such witnesses but at the same time wish to ensure their ability to depose any witness who will appear at trial or provide a declaration (e.g. on motion for summary judgment),

THEREFORE, Plaintiffs Gabana Gulf Distribution Ltd. and Gabana Distribution, Ltd. ("Gabana") and Defendants Gap International Sales, Inc., The Gap, Inc., Banana Republic, LLC, and Old Navy, LLC ("Gap"), by and through their counsel of record, stipulate and agree as follows:

1. As soon as practicable, on a rolling basis, and to be provided on or before June 30, 2007, the parties will disclose the percipient witnesses whose testimony they intend to, or wish to preserve their right to, present at trial or in connection with any motion. The disclosing party will make such witnesses available for deposition within the discovery period, according to a schedule on which the parties will meet and confer in good faith, but such meet and confer must be resolved within 14 days of the first attempt to schedule any deposition.

2. The parties must make their best, good-faith efforts to timely disclose witnesses and make them available for deposition according to paragraph 1. If, despite such efforts, a party decides after June 30, 2007 that it will want to, or wishes to preserve the right to, present testimony from a witness whom the party has not yet made available for deposition, the party must make that witness available for deposition as soon as practicable—if necessary, after the discovery period has ended, and in any event at least two weeks before commencement of trial. Trial testimony will not be admitted from witnesses who were not made available for deposition.

3. A party that files a declaration in connection with, for example, a motion for summary judgment or opposition thereto must make the declarant available for deposition within a week following service of their declaration on a mutually agreeable date, provided the declarant was not previously deposed. Declarations from witnesses not made available for deposition will not be considered.

1 4. All witnesses will be made available for deposition in a location acceptable to the
2 witness. If any party objects to the proposed location for the deposition, the parties agree that
3 said objecting party may file a motion with the Court—if necessary, on a shortened briefing
4 schedule—for resolution of that dispute.

5 5. If a party, despite its best efforts, is unable to secure the presence at deposition of
6 a witness it identified and for whom a deposition was scheduled because the witness does not
7 appear as promised, that party may attempt to reschedule the deposition, but in that event, that
8 party will be liable for the other parties' reasonable attorneys' fees and costs incurred in
9 connection with the cancelled deposition. Any rescheduled deposition must occur at least two
10 weeks before the commencement of trial. Alternatively, the party may agree not to call the
11 witness who failed to appear for deposition at trial, and to withdraw any declarations from that
12 witness, in which case the party will not be liable for attorneys' fees or costs incurred by the
13 other parties in connection with the cancelled deposition.

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15 Dated: March 1, 2007

KEKER & VAN NEST, LLP

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By: /s/ Dan Jackson
DAN JACKSON
Attorneys for Defendants
GAP INTERNATIONAL SALES, INC.,
THE GAP, INC., BANANA REPUBLIC,
LLC, and OLD NAVY, LLC

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21 Dated: March 1, 2007

HOWARD RICE NEMEROVSKI
CANADY FALK & RABKIN

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 2, 2007

